

### REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Official Action dated March 24, 2003 and a telephone interview with the Examiner on December 16, 2003.

During the phone interview, the Examiner indicated all 112 issue were overcome by the propose amendments except that claim 16 cannot cover both nucleobase hybridization practice and protein practice due to the use of "hybridization" in claim 16 being only applicable to nucleobase practice and not protein practice. The Examiner suggested amending "hybridizing" into "binding" to cover protein. However, "binding" was never searched; such a change in the claims may trigger new prior art rejections. Applicants hereby cancel claim 22 to limit claim 16 to nucleobase hybridization practice, and file a continuation application concurrently to pursue a new set of claims regarding the protein practice.

In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

In addition, Applicants request the Examiner to acknowledge the receipt of the revised drawings for Figs. 1, 2C, 3, 7, 8C and 9 filed on February 14, 2002.

### Status of the Claims

Claims 10-20 and 24 are under consideration in this application. Claim 22 is being cancelled without prejudice or disclaimer. Claims 16 and 24 are being amended, as set forth above and in the attached marked-up presentation of the claim amendments, in order to more particularly define and distinctly claim Applicants' invention.

### Additional Amendments

The claims are being amended to correct formal errors and/or to better disclose or describe the features of the present invention as claimed. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

### Formality Rejections

Claims 10-20 and 22-24 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. As indicated, the claims have been cancelled or amended mostly as required by the

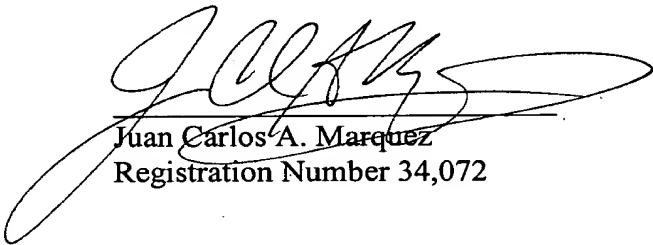
Examiner. In particular, regarding the "protein" recited in claim 22, the issue becomes moot as claim 22 is being canceled without prejudice or disclaimer. Accordingly, the withdrawal of the outstanding informality rejection is in order, and is therefore respectfully solicited.

In view of all the above, clear and distinct differences as discussed exist between the present invention as now claimed and the prior art reference upon which the rejections in the Office Action rely, Applicants respectfully contend that the prior art references cannot anticipate the present invention or render the present invention obvious. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and phone number indicated below.

Respectfully submitted,

\_\_\_\_\_  
Stanley P. Fisher  
Registration Number 24,344

  
\_\_\_\_\_  
Juan Carlos A. Marquez  
Registration Number 34,072

**REED, SMITH, LLP**  
3110 Fairview Park Drive, Suite 1400  
Falls Church, Virginia 22042  
(703) 641-4200  
**January 14, 2004**